

### **REMARKS**

Claims 1, 3-12, 14-18 and 20 are pending in the present Application.

Examiner's Response to Arguments in the Office Action of July 20, 2010 is helpful and sincerely appreciated.

Examiner has rejected claims 1, 3-12, 14-18 and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0044805 by Multer et al. ("Multer") in view of U.S. Patent Application Publication No. 2002/0116404 by Cha et al. ("Cha"). Applicants have amended herein claims 1 and 12 to further include the feature of a transmitter that communicates the first change list identifier apart from the first change list after the synchronization session has been initiated. Applicants explained this feature at paragraph [0041] as providing the ability to identify the change list by a single value rather than a copy of the entire change list. This feature enables the identification of the change list with the use of only a small portion of bandwidth (paragraph [0023]), thereby responding to the problem of bandwidth limitations of radio communication systems, which Applicants recognized in paragraphs [0012] and [0013]. Of course, the separation of the communication of the change list identifier from the communication of the change list provides ample reason for the claimed locking of the first change list from changes once the synchronization process has commenced.

Examiner has observed that Multer has indicated that a user may keep a synchronizable database (such as a calendar) on a radio-based personal information manager such as a cellular phone. See paragraph [0006]. However, there is no teaching that Multer's synchronization of

this database utilizes a change list identifier that is transmitted apart from a change list. Moreover, the transaction processing system of Cha does not teach that a log header, log sequence number, or any other identifying field is to be transmitted apart from a current log record. By reason of the absence of this claimed feature, alone, the combination of Multer and Cha is insufficient to provide a *prima facie* case of obviousness. Even further, Multer and Cha, taken alone or together, do not disclose all of the other features of Applicants' claimed invention.

Applicants claim a first change-list lock that prohibits any changes to the first change list. Multer discloses a management server capable of placing a lock on the storage server so that no conflicting device engines may couple to the same data at the same time. See paragraph [0202]. The clear implication is that, while both device engines are locked out from accessing data, one device engine is allowed to gain access. Applicants have clarified the claims to claim that no device is allowed to make changes to the first change list during a synchronization event – a different lock than that disclosed by Multer, which is designed to resolve device contention problems.

Examiner has observed that Multer does not disclose a first list change identifier, and has introduced Cha to provide that missing element for Multer in a combination presumably made according to known methods to predictably yield Applicants' claimed invention. Cha creates a log record of each particular transaction to enable recovery of a main memory database in the event of a failure. See paragraph [0035]. In contrast, Applicants' first change list creator creates a first change list that lists change indicia of each change made during a selected time period, such that the change list is inclusive of indicia of each of the changes made, not just of a single

transaction. Applicants' first change list identifier, therefore, applies to the entire list, unlike the single transaction log header of Cha.

Thus, Multer and Cha taken alone or together in combination (which combination Applicants do not believe to be proper) do not disclose all of the elements of Applicants' claimed invention, as explained above. Accordingly, the §103 rejection of independent claims 1 and 12 (claim 12 includes limitations similar to those of claim 1 such that the foregoing argument also applies to claim 12) is improper and claims 1 and 12 are believed allowable. Since the independent claims are presumed allowable, the claims dependent thereon are also believed to be allowable.

In light of the foregoing amendment and remarks, Applicants believe all of the pending claims to be allowable. Examiner is respectfully urged to withdraw the claims rejection, reconsider the present Application, and pass the present Application to allowance.

Respectfully submitted,

/ Robert H. Kelly /

---

Robert H. Kelly  
Registration No. 33,922

KELLY & KRAUSE, L. P.  
6600 LBJ Freeway, Suite 275  
Dallas, Texas 75240  
Telephone: (214) 446-6684  
Fax: (214) 446-6692